

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF TEXAS
SAN ANTONIO DIVISION

MARK ANTHONY ORTEGA,

Plaintiff,

v.

ELITE LIVING REALTY, LLC,

Defendant.

§
§
§
§
§
§
§
§

SA-24-CV-768-JKP (HJB)


ORDER

Before the Court is the status of this case which was referred to the undersigned for consideration of non-dispositive matters pursuant to 28 U.S.C. § 636(b). (See Docket Entry 5.) Plaintiff, who is proceeding *pro se*, has provided proof of service showing that Defendant was served with the complaint in this case on July 23, 2024. (See Docket Entry 6.) Although the time for answer or other responsive pleading has passed, Defendant has not answered or responded to the complaint.

Federal Rule of Civil Procedure 55 provides that, “[w]hen a party against whom a judgment for affirmative relief is sought has failed to plead or otherwise defend, and that failure is shown by affidavit or otherwise, the clerk must enter the party’s default.” FED. R. CIV. P. 55(a).

Accordingly, it is hereby **ORDERED** that, **on or before September 23, 2024**, Plaintiff must file an Advisory either (1) showing Defendant’s failure to plead by affidavit or otherwise, in accordance with Rule 55(a), or (2) providing the Court with an update as to the status of the parties’ communications subsequent to service of the complaint.

SIGNED on August 21, 2024.


Henry J. Bemporad
United States Magistrate Judge